

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MAURICE PICKETT,

Plaintiff,

v.

Civil Case No. 16-11361  
Honorable Linda V. Parker

ROBERT A. MARZANO, MATT  
CLEMENCE, ANDREW KIRBY, and  
OFFICER KRUEGER,

Defendants.

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**OPINION AND ORDER ADMINISTRATIVELY CLOSING ACTION AND  
REIMBURSING DEFENDANT ROBERT A. MARZANO FOR THE  
PAYMENT OF THE FILING FEE**

On March 9, 2016, Plaintiff Maurice Pickett (“Plaintiff”) initiated a lawsuit against Defendants Robert A. Marzano, Matt Clemence, Andrew Kirby, and Officer Kruer (collectively “Defendants”) by filing a Complaint in the Circuit Court for Wayne County, Michigan. Plaintiff alleges *inter alia* false arrest and false imprisonment claims against Defendants under 42 U.S.C. § 1983. On April 13, 2016, Defendants Clemence, Kirby, and Krueger removed Plaintiff’s Complaint to federal court pursuant to 28 U.S.C. §§ 1331 and 1441, and the case was assigned Civil Case No. 16-11353. The following day, Defendant Marzano also managed to remove Plaintiff’s Complaint to federal court pursuant to 28

U.S.C. §§ 1331 and 1441, and the case was assigned the above case number. The filing fee was paid for both cases.

As these are duplicative actions, with the present action being the result of the later removable of Plaintiff's already removed Complaint, the Court **ORDERS** the Clerk of the Court to **ADMINISTRATIVELY CLOSE** the instant action and refund Defendant Marzano the filing fee he paid upon removal. **Defendant Marzano must re-file his Answer to the Complaint**, filed in this later removed case on April 20, 2016, in the earlier removed action.

**SO ORDERED.**

s/ Linda V. Parker  
LINDA V. PARKER  
U.S. DISTRICT JUDGE

Dated: May 9, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, May 9, 2016, by electronic and/or U.S. First Class mail.

s/ Richard Loury  
Case Manager